



*City Pension Fund for Firefighters and Police Officers
in the City of Miami Beach*



November 13, 2001

TO: Active Members
Fire and Police Pension System

FROM: Celia Borenstein Locke
Executive Director

SUBJECT: **PENSION CHANGES**

At the Special Election held November 6, 2001, the voters of Miami Beach approved the following pension changes:

BUYBACK PROVISION

Members with 20 or more years of creditable pension service time who meet the eligibility requirements to retire because of the attainment of age 50 or the sum of age plus creditable service time equals to at least 70, may:

- (a) purchase up to 2 years of full time public safety service as a Law Enforcement Officer or public safety service as a Firefighter prior to City employment, provided the member is not entitled to receive a benefit from another plan for the same service. This benefit is calculated at 3% accrual for each year. The cost to purchase each year is 10% of the aggregate of the member's salary during the 12 calendar months immediately preceding the date of such purchase.¹*
- (b) purchase up to additional 6% multiplier in increments of 3%. The cost to purchase the 3% multiplier is 10% of the aggregate of the member's salary during the 12 calendar months immediately preceding the date of such purchase.*

Total accrual cannot exceed 12% including pre-employment military time (currently in Plan).

¹ Although this provision is in effect, it may not be implemented until regulations and procedures are adopted by the Board of Trustees

If you meet the eligibility requirements for the buyback, and wish to do so, please contact the Fire and Police Pension Office.

DOMESTIC PARTNERS

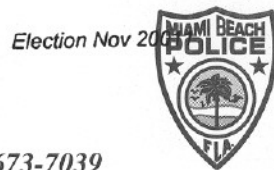
Domestic Partners registered with the City of Miami Beach will be entitled to receive the same survivor benefits currently provided to a surviving spouse under the Plan. Domestic Partnership must be registered with the City of Miami Beach and documented according to the requirement of Section 62-127 of the City Code (copy enclosed).

Should you have any questions, please do not hesitate to contact me.

CBL/eef

enclosure: *City Code, Section 62-127 - Domestic Partnership, registration, Termination and Administration Procedures*

election/nov2001/penschg.ltr



organization, association, society or any non-profit, charitable or educational institution or organization operated, supervised or controlled by or in conjunction with a religious organization restricts membership in its organization on the basis of race, color or national origin.

(b) Nothing in this article shall prohibit the limiting of the use of kindergartens, nurseries, day care centers, theaters and motion picture houses to persons of a particular age group. (Ord. No. 92-2824, § 1(25A-11), 12-2-92)

Secs. 62-114—62-125. Reserved.

ARTICLE III. DOMESTIC PARTNERSHIPS

Sec. 62-126. Definitions.

Affidavit of financial reliance means the document that is filed with the human resources department according to the procedures established in section 62-127.

Committed relationship means a family relationship, intended to be of indefinite duration, between two individuals characterized by mutual caring and the sharing of a mutual residence.

Declaration of domestic partnership means the document that is filed with the human resources department according to the procedures established in section 62-127.

Dependent means one who relies on another for financial support. For purposes of this article, a domestic partner of an employee shall be deemed a dependent of the employee if the domestic partner is supported, in whole or in part, by the employee's earnings and has been for at least the past six months.

Domestic partnership means committed relationship between two persons who consider themselves to be a member of each other's immediate family and have registered their partnership in accordance with section 62-127.

Employee means active and retired employees of the city that are eligible for benefits pursuant to state or municipal law, city employment policies, or collective bargaining agreements. (Ord. No. 98-3127, § 1, 7-1-98)

Sec. 62-127. Registration, termination and administration procedures.

(a) Registration.

- (1) *Declaration of domestic partnership.* A declaration of domestic partnership shall be filed with the human resources department and shall contain the names and addresses of the domestic partners who shall swear or affirm under penalty of perjury that each partner:
 - a. Is at least 18 years old and competent to contract;
 - b. Is not related by blood;
 - c. Is the sole domestic partner of the other person;
 - d. Is not married;
 - e. Has not been a member of another domestic partnership for the past six months (unless the prior domestic partnership ended as a result of the death or marriage of one of the partners);
 - f. Agrees to share the common necessities of life and to be responsible for each other's welfare;
 - g. Shares his or her primary residence with the other;
 - h. Considers himself or herself to be a member of the immediate family of the other partner; and
 - i. Agrees to immediately notify the human resources department, in writing, of any change in the status of the domestic partnership.
- (2) *Documentation.* As further evidence of a domestic partnership, one of the following documents must be presented to the human resources department along with the declaration of domestic partnership:
 - a. A lease, deed, or mortgage indicating that both parties are jointly responsible;

- b. Drivers licenses for both partners showing the same address;
 - c. Passports for both partners showing the same address; or
 - d. Any other document that in the opinion of the director of the human resources department conclusively demonstrates that the partners are living together as a family.
- (3) *Affidavit of financial reliance.* An affidavit of financial reliance shall be filed with the human resources department and shall contain the names and addresses of the domestic partners who shall swear or affirm under penalty of perjury that:
- a. The domestic partner of the employee is a dependent of the employee as that term is defined in section 62-126; and
 - b. Each partner agrees to immediately notify the human resources department, in writing, if the domestic partner of the employee ceases to be a dependent of the employee.
- (b) *Termination.*
- (1) *Termination statement.* A domestic partner may terminate the domestic partnership by filing a termination statement with the human resources department. The person filing the termination statement shall swear or affirm under penalty of perjury that:
- a. The domestic partnership is to be terminated; and
 - b. If the termination statement is not signed by both domestic partners, a copy of the termination statement shall be served, by certified or registered mail, on the other domestic partner, and proof of service shall be filed with the human resources department.
- (2) *Effective date.* The termination shall become effective 60 days from the date of filing of the termination statement signed by both domestic partners or if the termination statement is not signed by both parties, 60 days from the date proof of service is filed with the human resources department pursuant to subsection (a)(1)b., above.
- (3) *Automatic termination.* A domestic partnership shall automatically terminate in the event that one of the domestic partners dies or marries.
- (c) *Administration.*
- (1) *Forms.* The human resources department shall provide forms for the establishment and termination of domestic partnerships.
- (2) *Certificate of domestic partnership.* The human resources department shall issue to the domestic partners a certificate of domestic partnership no later than ten business days after the declaration of domestic partnership and affidavit of financial reliance are filed.
- (3) *Maintain records.* The human resources department of records shall maintain copies of certificates of domestic partnership and termination statements filed by domestic partners.
- (4) *Fees.* The fee for registering or terminating the declaration of domestic partnership shall be \$25.00, which shall cover all costs of registration or termination.
- (Ord. No. 98-3127, § 2, 7-1-98)
- Sec. 62-128. Employment benefits.**
- (a) Employees shall be granted bereavement leave with pay for the death of a domestic partner or family member of a domestic partner as set forth in the union contracts governing city employees, Ordinance Nos. 1335 and 1613, and the city's administrative policies. As to employees governed by union contracts, this benefit is contingent upon approval of the benefit by the unions to the extent such approval is necessary.
- (b) Employees shall be granted sick leave, family medical leave, or leave without pay to care for a domestic partner as set forth in Ordinance Nos. 1335 and 1613 and the city's family medical leave policy.
- (Ord. No. 98-3127, § 3, 7-1-98)